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For the *Second* Week in DECEMBER, 1787.

WORCESTER, (*Maſſachuſetts*) Printed by I. THOMAS, by whom Subſcriptions, Eſſays, &c. &c. for this Work are taken in.

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To the PUBLICK.

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ISAIAH THOMAS.

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WORCESTER, Printed by and for I. THOMAS, and sold at his Bookstore.

VOL. IV.] THE [NUMB. XI.

WORCESTER MAGAZINE.

For the Second Week in December, 1787.

HISTORY of the late WAR in AMERICA.

From the BRITISH ANNUAL REGISTER, *for* 1780.

THE paſſage was effected, under a ſevere and impetuous fire, with leſs loſs of lives than could have been well expected; the number of ſeamen killed and wounded being under thirty. The fleet, however, ſuffered in other reſpects from the fire of the enemy; and a tranſport, with ſome naval ſtores, was of neceſſity abandoned, and burnt. But the great object was now gained; they were in poſſeſſion of the harbour, and took ſuch effectual meaſures for blocking up or ſecuring the various inlets, that the town was little leſs than completely inveſted. As the enemy had placed their principal truſt in the defence of the paſſage up the river, and thereby keeping the harbour free, and their back ſecure, nothing could be more terrible to them than this ſituation of the fleet; whereby their defences were greatly multiplied, their attention diverted from the land ſide, and their means of relief, or even of eſcape, conſiderably ſtreightened. *April 9th.*

In this ſtate of things, the batteries ready to be opened; the commanders by ſea and land, ſent a joint ſummons to General Lincoln, who commanded in Charleſton; holding out the fatal conſequences of a cannonade and ſtorm, ſtating the preſent, as the only favourable opportunity for preſerving the lives and property of the inhabitants, and warning the commander that he ſhould be reſponſible, for all thoſe calamities which might be the fruits of his obſtinacy. Lincoln anſwered, that the ſame duty and inclination which had prevented him from abandoning Charleſton, during ſixty days knowledge of their hoſtile intentions, operated now with equal force, in prompting him to defend it to the laſt extremity.

The defences of Charleſton, on the neck, were for their nature and ſtanding, very conſiderable. They conſiſted of a chain of redoubts, lines, and batteries, extending from one river to the other; and covered with an artillery of eighty cannon and mortars. In the front of either flank, the works were covered by ſwamps, originating from the oppoſite rivers, and tending towards the center; through which they were connected by a canal paſſing from one to the other. Between theſe outward impediments and the works, were two ſtrong rows of abbatis, the trees being buried ſlanting in the earth, ſo that their heads facing outwards, formed a kind of ſtraize work againſt the aſſailants; and theſe were farther ſecured, by a ditch double picketted. In the center, where the natural defences were unequal to thoſe on the flanks, a horn work of maſonry had been conſtructed, as well to remedy that defect, as to cover the principal gate; and this during the ſiege had been cloſed in ſuch a manner as to render it a kind of citadel, or independent fort.

The ſiege was carried on with great vigour; the batteries were ſoon perceived to acquire a ſuperiority over thoſe of the enemy;

and the works were pushed forward with unremitted industry. Soon after the middle of April, the second parallel was completed;
19th. the approaches to it secured; and it was carried within 450 yards of the main works of the besieged. Major Moncrieffe, who had gained so much honour in the defence of the Savannah, acquired no less applause, from the very superiour and masterly manner in which he conducted the offensive operations of the present siege.

The town had kept its communication open with the country, on the farther side of Cooper's river, for some time after it had been invested on other sides by the fleet and army; and some bodies of militia cavalry and infantry began to assemble on the higher parts of that river, who being in possession of the bridges, might at least have become troublesome to the foraging parties, if not capable of disturbing the operations of the army. The general, as soon as his situation would permit, detached 1400 men under Lieutenantcolonel Webster, in order to strike at this corps which the enemy were endeavouring to form in the field, to break in upon their remaining communications, and to seize the principal passes of the country. On this expedition Lieutenantcolonel Tarleton, at the head of a corps of cavalry, and seconded by Major Ferguson's light infantry and marksmen, afforded a striking specimen of that active gallantry, and of those peculiar military talents, which have since so highly distinguished his character. With a very inferiour force, he surprised, defeated, and almost totally cut off the rebel party; and having thereby gained possession of Biggin's Bridge on the Cooper River, opened the way to Colonel Webster to advance nearly to the head of the Wandoo River, and to occupy the passes in such a manner, as to shut Charleston up entirely.

As the arrival of a large reinforcement from New york, enabled the general considerably to strengthen the corps under Webster, so the importance of the situation, induced Earl Cornwallis to take the command on that side of Cooper's River. Under the conduct of this nobleman, Tarleton attacked, defeated and ruined, another body of cavalry, which the enemy had with difficulty collected together.

In the mean time, the besiegers had completed their third parallel, which they carried close to the rebel canal; and by a sap pushed to the dam which supplied it with water on the right, they had drained it in several parts to the bottom. On the other hand, the admiral, who had constantly pressed and distressed the enemy, in every part within his reach, having taken the fort at Mount Pleasant, acquired from its vicinity, and the information of the deserters which it encouraged, a full knowledge of the state of the garrison and defences of Fort Moultrie, in Sullivan's Island. In pursuance of this information, and determined not to weaken the operations of the army, he landed a body of seamen and marines, in order to storm the place by land, while the ships battered it in every possible direction. In these circumstances, the garrison (amounting to something more than 200 men) seeing the imminent danger to which they were exposed, and sensible of the impossibility of relief, were glad, by a capitulation, to surrender themselves prison-
May 7th. ers of war.

Thus enclosed on every side, and driven to its last defences, the general wishing to preserve Charleston from destruction, and to prevent that effusion of human blood, which must be the inevitable consequence of a storm, opened a correspondence on the following day with Lincoln, for the purpose of a surrender. But the conditions demanded by that commander being deemed higher, than his present circumstances and situation entitled him to, they were rejected, and hostilities renewed. The batteries on the third pa-

rallel were then opened, and ſo great a ſuperiority of fire obtained, that the beſiegers were enabled under it to gain the counterſcrap of the outwork which flanked the canal; which they likewiſe paſſed; and then puſhed on their works directly towards the ditch of the place.

The objections to the late conditions required by General Lincoln, went principally to ſome ſtipulations in favour of the citizens and militia; but the preſent ſtate of danger having brought thoſe people to acquieſce in their being relinquiſhed, as the price of ſecurity, that commander accordingly propoſed to ſurrender upon the terms which were then offered. The Britiſh commanders, beſides their averſeneſs to the cruel extremity of a ſtorm, were not diſpoſed to preſs to unconditional ſubmiſſion, an enemy whom they wiſhed to conciliate by clemency. They granted now the ſame conditions which they had before offered; and the capitulation *May 11th.* was accordingly ſigned.

The garriſon were allowed ſome of the honours of war; but they were not to uncaſe their colours, nor their drums to beat a Britiſh march. The continental troops and ſeamen were to keep their baggage, and to remain priſoners of war until they were exchanged. The militia were to be permitted to return to their reſpective homes, as priſoners on parole; and while they adhered to their parole, were not to be moleſted by the Britiſh troops in perſon or property. The citizens of all ſorts to be conſidered as priſoners on parole; and to hold their property on the ſame terms with the militia. The officers of the army and navy, to retain their ſervants, ſwords, piſtols, and their baggage, unſearched. Horſes were refuſed, as to carrying them out of Charleſton; but they were allowed to diſpoſe of them in the town.

Seven general officers, ten continental regiments, and three battalions of artillery, became priſoners upon this occaſion. The whole number of men in arms who were taken, including town and country militia, and French, amounted to 5611, excluſive of near a thouſand ſeamen. The number of rank and file, which appear on this liſt, bear no proportion to the clouds of commiſſion and noncommiſſion officers, which exceed nine hundred. The thinneſs of the continental regiments accounts partly for this circumſtance; it appearing from Lincoln's return to congreſs, that the whole number of men of every ſort, included in ſo many regiments and battalions, at the time of the ſurrender, did not amount to quite 2500. He boaſts in that letter, that he loſt only twenty men by deſertion, in ſix weeks before the ſurrender.

As the ſiege was not productive of ſallies or deſperate aſſaults, which were in a conſiderable degree prevented by ſituation, and the nature of the works, the loſs of men was not great on either ſide, and was not very unequally ſhared. A prodigious artillery was taken; amounting, of every ſort, and including thoſe in the forts and ſhips, to conſiderably more than 400 pieces. Of theſe, 311 were found in Charleſton only. Three ſtout rebel frigates, one French, and a polacre of 16 guns, of the ſame nation, which eſcaped the operation of being ſunk to bar the river, fell likewiſe into the hands of the victors.

[*To be continued.*]

B O N M O T.

WHEN Fontenelle was very old, a phyſician was one day maintaining that Coffee was ſlow poiſon. "Very *ſlow*, indeed," replied Fontenelle, "for I have drank it every day theſe eighty years."

AGAINST the New Federal Conſtitution.

From the VIRGINIA GAZETTE.

The following are the ſo much talked of Objections againſt the New Federal Conſtitution, of the Hon. GEORGE MASON, Eſq; one of the Delegates to the late Federal Convention from the State of Virginia.

"THERE is no declaration of rights; and the laws of the general government being paramount to the laws and conſtitutions of the ſeveral States, the declarations of rights in the ſeparate States are no ſecurity. Nor are the people ſecured even in the enjoyment of the benefits of the common law, which ſtands here upon no other foundation than its having been adopted by the reſpective acts forming the conſtitutions of the ſeveral States.

"In the Houſe of Repreſentatives there is not the ſubſtance, but the ſhadow only of repreſentation; which can never produce proper information in the Legiſlature, or inſpire confidence in the people; the laws will therefore be generally made by men little concerned in, and unacquainted with their effects and conſequences *,

"The Senate have the power of altering all money bills, and of originating appropriations of money, and the ſalaries of the officers of their own appointment in conjunction with the Preſident of the United States; although they are not the repreſentatives of the people, or amenable to them.

"Theſe with their other great powers (viz, their power in the appointment of ambaſſadours and other publick officers, in making treaties, and in trying all impeachments) their influence upon and connexion with the ſupreme executive from theſe cauſes, their duration of office, and their being a conſtant exiſting body almoſt continually ſitting, joined with their being one complete branch of the Legiſlature, will deſtroy any balance in the government, and enable them to accompliſh what uſurpations they pleaſe upon the rights and liberties of the people.

"The judiciary of the United States is ſo conſtructed and extended as to abſorb and deſtroy the judiciaries of the ſeveral States; thereby rendering law as tedious, intricate and expenſive, and juſtice as unattainable by a great part of the community, as in England, enabling the rich to oppreſs and ruin the poor.

"The Preſident of the United States has no conſtitutional council (a thing unknown in any ſafe and regular government) he will therefore be unſupported by proper information and advice; and will be generally directed by minions and favourites—or he will become a tool to the Senate—or a Council of State will grow out of the principal officers of the great departments; the worſt and moſt dangerous of all ingredients for ſuch a council in a free country; for they may be induced to join in any dangerous or oppreſſive meaſures, to ſhelter themſelves, and prevent an inquiry into their own miſconduct in office; whereas had a conſtitutional council been formed (as was propoſed) of ſix members, viz. two from the eaſtern, two from the middle, and two from the ſouthern States, to be appointed by vote of the States in the Houſe of Repreſentatives, with the ſame duration and rotation in office as the Senate, the Executive would always have had ſafe and proper information and advice; the Preſident of ſuch a council might have acted, as Vicepreſident of the United States *pro tempore*, upon any vacancy or diſability of the chief Magiſtrate; and long continued ſeſ-

* Col. Maſon acknowledges that this objection was leſſened by inſerting the word *thirty* inſtead of *forty*, as it was at firſt determined, in the 3d clauſe of the 2d ſection of the 1ſt article.

ſions of the Senate would in a great meaſure have been prevented.—

"From this fatal defect of a conſtitutional council has ariſen the improper power of the Senate, in the appointment of publick officers, and the alarming dependence and connexion between that branch of the Legiſlature and the ſupreme Executive.—

"Hence alſo ſprung that unneceſſary and dangerous officer the Vicepreſident; who for want of other employment is made Preſident of the Senate; thereby dangerouſly blending the executive and legiſlative powers; beſides always giving to ſome of the States an unneceſſary and unjuſt preeminence over the others.—

"The Preſident of the United States has the unreſtrained power of granting pardons for treaſon; which may be ſometimes exerciſed to ſcreen from puniſhment thoſe whom he had ſecretly inſtigated to commit the crime, and thereby prevent a diſcovery of his own guilt.—

"By declaring all treaties ſupreme laws of the land, the Executive and the Senate have, in many caſes, an excluſive power of legiſlation; which might have been avoided by proper diſtinctions with reſpect to treaties, and requiring the aſſent of the Houſe of Repreſentatives, where it could be done with ſafety.—

"By requiring only a majority to make all commercial and navigation laws, the five ſouthern States (whoſe produce and circumſtances are totally different from that of the eight northern and eaſtern States) will be ruined; for ſuch rigid and premature regulations may be made as will enable the merchants of the northern and eaſtern States not only to demand an exorbitant freight, but to monopolize the purchaſe of the commodities at their own price, for many years; to the great injury of the landed intereſt, and impoveriſhment of the people: And the danger is the greater, as the gain on one ſide will be in proportion to the loſs on the other. Whereas requiring two thirds of the members preſent in both houſes would have produced mutual moderation, promoted the general intereſt, and removed an inſuperable objection to the adoption of the government.

"Under their own conſtruction of the general clauſe at the end of the enumerated powers, the Congreſs may grant monopolies in trade and commerce, conſtitute new crimes, inflict unuſual and ſevere puniſhments, and extend their power as far as they ſhall think proper; ſo that the State Legiſlatures have no ſecurity for the powers now preſumed to remain to them; or the people for their rights.

"There is no declaration of any kind for preſerving the liberty of the preſs, the trial by jury in civil cauſes; nor againſt the danger of ſtanding armies in time of peace.

"The State Legiſlatures are reſtrained from laying export duties on their own produce.

"The general Legiſlature is reſtrained from prohibiting the further importation of ſlaves for twenty odd years; though ſuch importations render the United States weaker, and more vulnerable, and leſs capable of defence.

"Both the general Legiſlature and the State Legiſlatures are expreſsly prohibited making *ex poſt facto* laws; though there never was nor can be a Legiſlature but muſt and will make ſuch laws, when neceſſity and the publick ſafety require them, which will hereafter be a breach of all the conſtitutions in the Union, and afford precedents for other innovations.

"This government will commence in a moderate ariſtocracy; it is at preſent impoſſible to foreſee whether it will, in its operation, produce a monarchy, or a corrupt oppreſſive ariſtocracy; it will moſt probably vibrate ſome years between the two, and then terminate between the one and the other."—

Many of the foregoing objections, and the reaſonings upon them, ap-

pear to be calculated more to alarm the fears of the people, than to anſwer any good or valuable purpoſe. —Some of them are raiſed upon ſo ſlender a foundation as would render it doubtful whether they were the production of Col. *Maſon's* abilities, if an inconteſtible evidence of their being ſo could not be adduced.

BRUTUS.

[*Mr.* Maſon *profeſſes to be a ſtaunch Federal Man; as one proof of it he is greatly oppoſed to all kinds of Paper Money and Tender Acts, which appears by the following reſolutions, juſt paſſed in the General Aſſembly of Virginia, and introduced by Mr.* Maſon.]

RICHMOND, *(Virginia)* November 8.

In GENERAL ASSEMBLY, *November* 3, 1787.

RESOLVED, That the preſent ſcarcity of circulating money, has been in a great meaſure occaſioned by the general fear and apprehenſion of an emiſſion of paper currency; inducing monied men to lock up their gold and ſilver, preferring the loſs of intereſt to the riſk of lending or letting out here.

Reſolved, That money, by the common conſent and cuſtom of commercial nations, is and ought to be conſidered as a ſcale or ſtandard by which to eſtimate the comparative value of commodities, and that nothing can be more improper and unjuſt, than to ſubſtitute ſuch a ſtandard as would be more uncertain and variable than the commodities themſelves.

Reſolved, That an emiſſion of paper money would be ruinous to trade and commerce, and highly injurious to the good people of this Commonwealth, and that by weakening their manners and morals, deſtroying publick and private credit, and all faith between man and man, it would increaſe and aggravate the very evil it is intended to remedy.

Reſolved, That making paper currency, or any thing but gold and ſilver coin, a tender in diſcharge of debts, contracted in money, is contrary to every principle of ſound policy, as well as juſtice.

FOR the New Federal Conſtitution.

From the CONNECTICUT COURANT, *printed at Hartford.*

REMARKS on the OBJECTIONS made by the Hon. ELBRIDGE GERRY, to the NEW CONSTITUTION.

TO cenſure a man for an opinion in which he declares himſelf honeſt, and in a matter of which all men have a right to judge, is highly injurious; at the ſame time when the opinions even of honourable men are ſubmitted to the people, a tribunal before which the meaneſt citizen hath a right to ſpeak, they muſt abide the conſequence of publick ſtricture. We are ignorant whether the honourable gentleman poſſeſſes ſtate dignities or emoluments which will be endangered by the new ſyſtem, or hath motives of perſonality to prejudice his mind and throw him into the oppoſition; or if it be ſo, do not wiſh to evade the objections by ſuch a charge. As a member of the general Convention, and deputy from a great State, this honourable perſon hath a right to ſpeak and be heard. It gives us pleaſure to know the extent of what may be objected or even ſurmiſed, by one whoſe ſituation was the beſt to eſpy danger, and mark the defective parts of the conſtitution, if any ſuch there be. Mr. Gerry, though in the character of an objector, tells us "he was fully convinced that to preſerve the union an efficient government was neceſſary, and that it would be difficult to make proper amendments to the old articles of confederation:" Therefore by his own conceſſion

there was an indispensable necessity of a system, in many particulars entirely new. He tells us further "that if the people reject this altogether, anarchy may ensue:" and what situation can be pictured more awful than a total dissolution of all government. Many defects in the constitution had better be risked, than to fall back into that state of rude violence, in which every man's hand is raised against his neighbour, and there is no judge to decide between them, or power of justice to controul. But we hope to shew that there are no such alarming defects in the proposed structure of government, and that while a publick force is created, the liberties of the people have every possible guard.

Several of the honourable Gentleman's objections are expressed in such vague and indecisive terms, that they rather deserve the name of insinuations, and we know not against what particular parts of the system they are pointed. Others are explicit, and if real deserve serious attention. His first objection is "that there is no adequate provision for a representation of the people." This must have respect either to the number of representatives, or to the manner in which they are chosen. The proper number to constitute a safe representation is a matter of judgment, in which honest and wise men often disagree. Were it possible for all the people to convene and give their personal assent, some would think this the best mode of making laws; but in the present instance it is impracticable. In towns and smaller districts where all the people may meet conveniently and without expence, this is doubtless preferable. The state representation is composed of one or two from every town and district, which composes an assembly not so large as to be unweildy in acting, nor so expensive as to burthen the people. But if so numerous a representation were made from every part of the United States, with our present population, the new Congress would consist of three thousand men; with the population of Greatbritain, to which we may arrive in half a century, of ten thousand; and with the population of France, which we shall probably equal in a century and a half, of thirty thousand.

Such a body of men might be an army to defend the country in case of foreign invasion, but not a legislature, and the expence to support them would equal the whole national revenue. By the proposed Constitution the new Congress will consist of nearly one hundred men. When our population is equal to Greatbritain of three hundred men, and when equal to France of nine hundred. Plenty of lawgivers! why any gentleman should wish for more is not conceivable.

Considering the immense territory of America, the objection with many will be on the other side; that when the whole is populated it will constitute a legislature unmanageable by its numbers. Convention, foreseeing this danger, have so worded the article, that if the people should at any future time judge necessary, they may diminish the representation.

As the state legislatures have to regulate the internal policy of every town and neighbourhood, it is convenient enough to have one or two men, particularly acquainted with every small district of country, its interests, parties and passions. But the federal legislature can take cognizance only of national questions and interests, which in their very nature are general, and for this purpose five or ten honest and wise men, chosen from each State, men who have had previous experience in state legislation, will be more competent than an hundred. From an acquaintance with their own state legislatures, they will always know the sense of the people at large, and the expence of supporting such a number will be as much as we ought to incur.

If the honourable gentleman, in saying, "there is no adequate provision for a representation of the people," refers to the manner of choos-

ing them, a reply to this is naturally blended with his second objection; "that they have no security for the right of election." It is impossible to conceive what greater security can be given, by any form of words, than we here find.

The federal representatives are to be chosen by the votes of the people. Every freeman is an elector. The same qualifications which enable you to vote for state representatives, gives you a federal voice. It is a right you cannot loose, unless you first annihilate the state legislature, and declare yourselves incapable of electing, which is a degree of infatuation improbable as a second deluge to drown the world.

Your own assemblies are to regulate the formalities of this choice, and unless they betray you, you cannot be betrayed. But perhaps it may be said, Congress have a power to controul this formality as to the time and places of electing, and we allow they have: But this objection, which at first looks frightful, was designed as a guard to the privileges of electors. Even state assemblies may have their fits of madness and passion—this, though not probable, is still possible.

We have a recent instance, in the state of Rhodeisland, where a desperate junto are governing, contrary to the sense of a great majority of the people. It may be the case in any other State, and should it ever happen, that the ignorance or rashness of the state assemblies, in a fit of jealousy, should deny you this sacred right, the deliberate justice of the continent is enabled to interpose, and restore you a federal voice. This right is therefore more inviolably guarded than it can be by the government of your state, for it is guaranteed by the whole empire. Though out of the order in which the Hon. Gentleman proposes his doubts, I wish here to notice some questions which he makes. The proposed plan, among others, he tells us, involves these questions, "Whether the several state governments, shall be so altered as in effect to be dissolved? Whether in lieu of the state governments the national constitution now proposed shall be substituted?" I wish for sagacity to see on what these questions are founded. No alteration in the state governments, is even proposed, but they are to remain identically the same that they now are. Some powers are to be given into the hands of your federal representatives, but these powers are all in their nature general, such as must be exercised by the whole, or none at all, and such as are absolutely necessary; or your commerce, the price of your commodities, your riches and your safety, will be the sport of every foreign adventurer. Why are we told of the dissolution of our state governments, when by this plan we are indissolubly linked? they must stand or fall, live or die, together. The national legislature consists of two houses, a senate and a house of representatives: The senate is to be chosen by the assemblies of the particular states; so that if the assemblies are dissolved, the senate dissolves with them. The national representatives are to be chosen by the same electors, and under the same qualifications, as choose the state representatives; so that if the state representation be dissolved, the national representation is gone of course.

State representation and government is the very basis of the congressional power proposed. This is the most valuable link in the chain of connexion, and affords double security for the rights of the people. Your liberties are pledged to you by your own state, and by the power of the whole empire. You have a voice in the government of your own state, and in the government of the whole. Was not the gentleman on whom the remarks are made, very honourable, and by the eminence of office raised above a suspicion of cunning, we should think he had, in this instance, insinuated merely to alarm the fears of the people. His other objections will be mentioned in some future number of the

LANDHOLDER.

To the Landholders in Connecticut.

On the Proposed FEDERAL CONSTITUTION.

IN all controversial matters, and especially those of a political nature, men are apt to run into extremes, to what party soever they belong, and for the sake of supporting an argument, which is friendly to a favourite system, will wade through thick and thin, and often put reason and conscience to the torture. How far such a method of speaking and acting is repugnant to the dictates of moral honesty and genuine patriotism, is too obvious not to be easily discerned.

I find that all are clearly agreed in the truth of this position, that an energetick Federal Government is essential to our happiness and existence as a nation.

Now, sir, I presume no one has yet called in question the sufficiency of the new constitution in point of energy. The only thing, therefore, remaining to be decided, is, whether under this constitution our essential freedom can be maintained?

An hot brained Federalist will tell you, that it must be adopted, hastily adopted, without limitations or reserve; and I have known some go so far, as to call in the assistance of *tar* and *feathers* against such as were of different sentiment.

The Antifederalists, in general, are more moderate, but equally obstinate. Some of them would reject the whole, purely because some few parts of it do not meet with their approbation.

Persons of the above description are swayed by passions, not by reason, and should not be regarded by the honest and sensible part of the community.

I really think that if a bill of rights had accompanied our new constitution, little or no opposition would have been made to it. It may be true, that it is defective, but none have yet been able to maintain that it is materially so. We have, however, much reason to expect amendments, if necessary, from our representatives who act under it in the first instance. In short, we cannot hazard much, provided we are previously secured by a bill of rights. This with the Antifederalists seems to be the thread on which hangs suspended all their hopes and wishes.

Let those, therefore, who call themselves Federalists, lay aside a little of their arrogance, and instead of abusing, endeavour to convince their fellow citizens of the necessity of embracing the constitution as it stands, the impracticability of securing a better one, and that anarchy will be the consequence of its rejection. Let them unite with their brethren in recommending a bill of rights, which is, in fact, the best security we can have against the encroachments of despotism, and I flatter myself, that our state will not be the last that shall accede to it.

MEDIUM.

For the WORCESTER MAGAZINE.

On INSTRUCTIONS to DELEGATES to the STATE CONVENTION.

Mr. EDITOR,

I AM informed that some few towns are so strenuous for the federal constitution, that they have instructed their representatives to vote for it at all hazards—this is certainly wrong—no delegate ought by any means to be tied by instructions, and he that will go to Convention thus manacled, is by no means fit for the purpose. The business he has to do is not like a common representation, and I believe those delegates who may go to Convention tied down to instructions will make but a ridiculous figure, if they should not be permitted to vote, when they get there, as possibly may be the case. The design of the Convention, Mr. Editor, I am told, is for the Members to *Give all the Information they can*, to each other, respecting the proposed federal government—to HEAR all

that can be ſaid *for* and *againſt* it—then to CONSIDER what is beſt; and *finally*, to *determine* according to the beſt information they ſhall have received from hearing this weighty and important buſineſs thoroughly debated. How abſurd would it be in a Court of Juſtice, to determine a cauſe firſt, and hear the merits of it afterwards?—Are not jurymen aſked, before cauſes are committed to them, if they have made up their opinion; and if they have, are they not juſtly put aſide?—

Theſe few hints, I hope, will be ſufficient for all ſuch towns as may inconſiderately think of inſtructing their delegates, either *for* or *againſt* the propoſed federal government, to deſiſt; and ſuch as have already inſtructed their delegates, to withdraw ſuch inſtructions. *PROPRIETY.*

Summary of late Intelligence.

Foreign News.

AMSTERDAM, *(Holland)* October 1.

WE were in hopes that our Commiſſaries in their conferrence with the Duke of Brunſwick, would have obtained an honourable capitulation for this town, as every thing promiſed an happy iſſue; however the deputation of the two members of the Regency ſent to the Hague, to her Royal Highneſs the Princeſs of Orange, has replied, "That ſhe will accept no other ſatisfaction, than the ſubmiſſion of the town of Amſterdam, to the four Articles of the laſt Memorial of the Pruſſian Envoy."—This is alſo the ultimatum of the Duke of Brunſwick.

The Town Council have in conſequence aſſembled, and have reſolved to ſend an expreſs to the Hague, to demand of the States of Holland, a commiſſion of two Members of the Provincial Aſſembly, to meet two Members of our Town Council, for ſettling the means moſt proper to ſatisfy the Princeſs of Orange, and to induce her to relax in ſome part the four articles of ſatisfaction required. At the ſame time they have ſent a courier to the Duke of Brunſwick, to requeſt he will defer attacking the town, until the return of the expreſs from the Hague. Such is the ſtate of things at this moment.

P. S. The advanced poſts of our town were attacked at three this morning, by the Pruſſians, which continued very briſk until ſeven, when the enemy were repulſed in three places, and retreated in diſorder. We are not yet informed of the loſs on either ſide, and therefore defer until next poſt giving a full account. We are not however, yet out of danger; and all our Burgeſſes are under arms.

October 4. At four o'clock in the morning of the 1ſt of this month, the Duke of Brunſwick attacked this city, and a vigourous conteſt was maintained until about ſix. The ports of Muyden, Diemardam, Duiyendrick, Ouderkerk, and that of the Dyke of Haarlem, were aſſaulted at the ſame time. The enemy was repulſed from the four firſt mentioned ports with very great loſs. The poſt of Ouderkerk ſuſtained three different attacks in the ſpace of three hours. Unable to withſtand the fire from this place, the enemy abandoned their enterpriſe, which coſt them dear. The poſt of the Dyke of Haarlem being attacked in two places, and by a ſuperiour force, was abandoned almoſt without reſiſtance, and the auxiliaries who defended the place retired without loſs. The poſt of Amſtelveen was carried by the Pruſſians in the afternoon; and it is ſaid it might have been better defended. The loſs of this port occaſioned Ouderkerk to be evacuated, for by the above event it would have been ſituated between two fires, and could not poſſibly have been defended. An armiſtice for an unlimited time enſued; and each party is to give twelve hours notice before the recommencement of hoſtilities. We do not expect that the contention will be renewed, as freſh negociations are begun. The number of killed and wounded is not known.

LONDON, October 5.

Extract of a letter from Portſmouth October 3.

"His majeſty's ſhips fitting out here, go on very rapidly, and begin to get a great number of hands on board, as ſeldom a day paſſes but we have a hundred or two from one place or other; and we expect, in the courſe of next week, moſt of the ſhips will be fit to put to ſea, at a few hours notice. We have nothing but war here, and this place is all alive."

Nothing carries a greater appearance of war than the orders given by government for putting fire ſhips into commiſſion, it being very unuſual to equip thoſe veſſels until the laſt moment of a fleet ſailing for actual ſervice.

The 17th, 22d, 43d, 44th, 54th regiments of foot have received orders from the war office to hold themſelves in readineſs for foreign ſervice; but their deſtination at preſent, as it ought to be, is a profound ſecret.

At Rochford they are caſting great guns, and forming magazines of naval ſtores; a number of freſh hands are employed in the rope walks, and the officers of marines there, have orders to recruit the marine guards with the utmoſt diſpatch.

Couriers are almoſt daily paſſing between the courts of Verſailles and Madrid; and it is now generally believed by the beſt informed men, that Spain will enter into the deſigns of France.

October 6. The aim of the Duke of Brunſwick, in his firſt ſkirmiſh, was to poſ-

ſis himſelf of a ſluice, the power over which would enable the Amſterdamers to lay the country under water. The Duke effected his purpoſe by ſtratagem, but loſt five officers, and 100 men.

Thus far the Mails of yeſterday, which we give in common with other prints; but a private correſpondent, treating this affair more lightly, writes, that three ſquadrons of Pruſſian troops appeared before Amſterdam, and ſummoned it to ſurrender; but that the Governour propoſing terms which were rejected with diſdain, a few ſhots were exchanged, in which ſome lives were loſt, when the Pruſſian troops fell back to await the arrival of their artillery, againſt which the City was expected to make but a faint and ſhort reſiſtance.

A morning paper of this day ſays, to ſome of the demands of our Court, the French Miniſtry have acceded; they pledge themſelves not to oppoſe the Prince of Orange's pretenſions in Holland; and to withdraw the troops they have at the Cape of Good Hope: They are equally diſpoſed to conciliate a good underſtanding with the Court of Peterſburgh. The only point on which they hold out, and which they wiſh to carry, is the works of Cherbourg; our miniſtry inſiſt on their annihilation within certain limits; but though they have not yet entered into any engagements on this head, they have gone ſo far as to withdraw their engineers from Cherbourg, and ſtopped the progreſs of the works.

Yeſterday morning, an expreſs packet was received from France, by which there is an account that the French are at length arming for war, with exertions nearly equal to, though ſomewhat more late than our own; as a proof of which the Miniſter of the Marine department, whoſe place anſwers to that of Lord Howe in London ſummoned a council of naval officers at his houſe on Sunday evening laſt, and after giving each their inſtructions, diſpatched them for Breſt and other ports, where they have appointment and orders to equip their ſhips directly with the utmoſt expedition.

October 8. Laſt night, about a quarter paſt nine o'clock, the Right Hon. Mr. W. Grenville arrived at his houſe at the army pay office, from Paris with the ultimatum of the French Court, which we learn is pacifick.

His Grace the Duke of Dorſet left this Kingdom yeſterday morning for Paris.

Yeſterday morning, Mr. Potter one of his Majeſty's meſſengers arrived at the Treaſury from Berlin, and ſhortly afterwards Mr. Coats another meſſenger arrived —Both of them had paſſed though ſeveral parts of Holland ſo lately as Wedneſday laſt; and there were at that time no accounts of the City of Amſterdam having ſurrendered.

The cauſe of the French war, if ſuch an event ſhould take place, will be on account of the Cape of Good Hope and the iſland Trincomael, which the French ſometime ſince garriſoned, and will refuſe to ſurrender to the Dutch.

Extract from Flyn's Cork Chronicle, Dated October 15, 1787.

The KING of SPAIN's DEATH.

A private letter from an Iriſh houſe at Malaga, adviſes, that orders were arrived to hang the cathedrals and collegiate churches throughout every one of the twenty provinces of Spain, with black cloth or baize, where that mourning is to remain for twelve months. The foreign Conſuls have erected a black flag over the arms of their reſpective Sovereigns, which are fixed at their doors, and every thing carries an aſpect of the moſt unfeigned regret for the late King. The mercantile intereſt has peculiar obligations to the departed Prince, who, though not under any legal tie by the conſtitution of Spain, paid every ſhilling of his father's debts, to the amount of twenty millions, by yearly inſtalments from the Royal Treaſury; an inſtance of benevolence and juſtice capable of covering many faults, and which the Kingdom can never forget. His Majeſty dying at the palace of Eſcurial, 24 miles from Madrid, had but a ſhort way to his grave, as all the Royal Family have been interred in the chapel which ſtands in one of the courts, ſince the building of that ſumptuous edifice by Philip the IId, in 1599.

The moſt experienced politicians on the Continent are of opinion, that the death of his late Catholick Majeſty will produce ſome changes in the preſent ſyſtem of affairs. The young King, *(Charles Prince of Auſtrias, born November 11, 1748, married September 4, 1765, to the Princeſs Louiſa of Parma, who was born December 9, 1751, and by her R. Highneſs he has had ſeven children)* has applied with uncommon diligence to the buſineſs of the cabinet theſe four or five years, and in effect governed the Spaniſh Monarchy with a wiſdom not often found in perſons of his age.—He is, beſides, of an enterpriſing ſpirit, and gives broad hints that he will attempt uniting to the Crown every atom of its ancient rights, ſome part of which is poſſeſſed by England. This may account for the report circulated in London, that Jamaica was to be attacked early in the next ſummer---an event, that would find ſome employment for the Britiſh fleet and army.

American News.

SAVANNAH, (Georgia) November 1.

THE Honourable the Houſe of aſſembly of this State, we are informed, have recommended the election of Delegates to a Convention, for taking under conſideration the new Federal Conſtitution, on the firſt Tueſday in December next, at the ſame time that Members are choſen for the General Aſſembly.

PHILADELPHIA, November 23.

The buſineſs of the convention being brought before that honourable body on Saturday laſt by motion of the honourable Mr. M'Kean, in the following words, viz. "That this convention do aſſent to and ratify the conſtitution agreed to on the 17th of September laſt, by the convention of the United States of America, held at Philadelphia," Mr. Wilſon attracted the attention of the houſe, by a ſpeech which the celebrated Roman orator would not have bluſhed to own. He began by pointing out the difficulties that the late convention had to encounter; the diverſity of opinion, intereſt and prejudice,

they had to combat. He sketched the different forms of ancient and modern republicks, and shewed how imperfect models they were for our imitation; he proved to demonstration, that there was not among them one confederated republick; he mentioned these difficulties (he said) not to make a parade of the merits of the convention in surmounting them, but to shew how visionary—how idle it is to expect, that under them a government could be framed unexceptionable in all its parts to each individual of so extensive an empire. He forcibly contrasted the imbecility of our present confederation with the energy that must result from the proffered constitution. After defining (with an accuracy which marked his acquaintance with governmental history) the different kinds of government, and pointing out their respective advantages and wants, he concluded a speech which had justly won the admiration of his audience, by saying, that the late convention had in view, and, he hoped had in some measure executed, a constitution, whose energy would pervade the union, and restore credit and happiness to a distracted empire.

LITCHFIELD, December 3.

A few days since, in this town, upwards of Three hundred and Forty SNAKES, of every species excepting the rattle, were found sheltered under a meadow bog; where, it is supposed, they had taken up winter quarters.

NEW YORK, November 30.

Last Tuesday was appointed for the election of members to meet in convention, to take into consideration the Federal Constitution, in Newjersey.

Extract of a letter from Halifax, Nov. 16.

"The Lieutenantgovernour has received orders by the Packat to hold an immediate survey on the fortifications here—also to transmit to England as soon as possible the number of inhabitants in this province capable of bearing arms—these circumstances, together with Prince William Henry mounting his cabin guns, previous to his sailing, which were commonly stowed in the hold of the ship, seem to indicate that our present tranquillity will be shortly at an end."

BOSTON, December 8.

DELEGATES to CONVENTION.

Yesterday, at ten o'clock, agreeable to notification, came on at Fanueilhall the choice of Twelve Delegates, to meet in Convention at the Statehouse in this town, on the second Wednesday of January next, for the purpose of assenting to and ratifying the Federal Constitution.---At half after 12 the poll closed---when the whole number of votes was 763---of which

His Excellency John Hancock, had	751
His Excellency James Bowdoin, Esq;	760
Thomas Dawes, jun. Esq;	749
Hon. William Phillips, Esq;	740
Rev. Samuel Stillman,	739
Dr. Charles Jarvis,	714
Mr. John Winthrop,	661
John Coffin Jones, Esq;	635
Hon. Samuel Adams, Esq;	628
Thomas Russel, Esq;	610
Hon. Caleb Davis, Esq;	603
Christopher Gore, Esq;	517

and were declared to be chosen.

It is not in our power to refer to a period, when such general unanimity prevaded all ranks of citizens, as on the above occasion. No clashing party interests appeared:---But the whole business exhibited such marks of urbanity---as, we hope, presage a happy issue of the deliberations of that great Areopagus, which is to determine whether this State will assent to and ratify a constitution, which has for its object, the establishment of the dignity, freedom, and happiness of our "dear country."

The following gentlemen are chosen delegates to meet in State Convention: For

Charlestown---Hon. Nathaniel Gorham, Esq;---65 voters present, 56 of which were for Mr. Gorham.

Milton---Rev. Nathaniel Robbins,

Braintree---Hon. Richard Cranch, Esq; and Rev. Anthony Wibert.

Andover---Capt. Peter Osgood, Doctor Kitteridge, and —— Symmes, Esq;

Ipswich---Michael Farley, John Choate, Daniel Noyes, and Jonathan Cogswell, Esquires.

Newbury---Hon. Tristram Dalton, Esq; Enoch Sawyer, and Ebenezer March, Esquires.

Salem---Richard Manning, Esq; Edward Pulling, Esq; Mr. William Gray, Mr. Francis Cabot.

Falmouth---Major Daniel Ilsley, and General John K. Smith.---The town of Falmouth consents to accept the new constitution, with *amendments*.

Groton---Mr. Morse, and Capt. Shipley.

Scituate---Hon. William Cushing, Esq; Chief Justice; Hon. Nathan Cushing, Esq; Hon. Charles Turner, Esq;

Chelsea---Rev. Phillips Payson.

Pembroke---Mr. John Turner, and Mr. Josiah Smith.

Barnstable---Shearjashub Bourn, Esq; and Mr. Martin.

Stoughton---Elijah Dunbar, Esq; and Mr. Southwick.

Norton---Hon. Abraham White.

Taunton---Brigadier James Williams.

Dighton---Hon. William Baylies, Esq; and Col. Sylvanus Richmond.

Rayham---Israel Washburn, Esq;

Berkley---Samuel Toby, Esq;

Attleborough---Hon. Elisha May, Esq; and Capt. Willmarth.

On Thursday last, the "Society for propagating the Gospel among the Indians, and others in Northamerica," incorporated at the last session of the General Court, met at the Senate chamber, and chose the following gentlemen as their officers:

Hon. Oliver Wendell, Esq; President,
Hon. Moses Gill, Esq; Vicepresident,
Jonathan Mason, Esq; Treasurer,
Rev. Dr. Wigglesworth, Secretary,
Rev. Peter Thatcher, Assistant Secretary.

DIED]---At Salzebourg, on the 24th of June, the rich banker *Hasner d'Inbachhausen*, leaving 800,000 florins in pious legacies, and 400,000 others. On the day of his burial there were distributed to the poor 13,744 florins, in conformity to his will.

——— In Ireland, Miss *Perrel*, aged 27. Her disease was the dropsy, and she had been tapped 111 times, in the course of which operations she discharged 90 barrels, 30 gallons, and 3 pints of water. [*Mass. Ces.*

WORCESTER.

By a gentleman from the county of Berkshire we are informed, that the Hon. John Bacon, whose abilities as a statesman are well known, and whose character as a worthy citizen is so well established, having misconceived some parts of the federal constitution, was in consequence thereof much opposed to it; as were for the same reason a large majority of the inhabitants of Stockbridge; but on the day of their choice for a Delegate to the State Convention, the Hon. Mr. Sedgwick begged the Federal Constitution might be read, and then spoke largely on its tendency and design, and so thoroughly convinced the Hon. Mr. Bacon and his adherents of their mistake, that they immediately chose him their delegate; and Mr. Bacon is now said to be as great an advocate for the federal system as he was before his conviction, an opposer.

Major Abner Morgan is chosen a delegate to the State Convention for Brimfield, in the county of Hampshire.

The following gentlemen, we learn, are chosen delegates, in this county, to the State Convention, viz.

Oakham, Capt. Ballard.
Barre, Capt. Black.
Bolton, Judge Baker.
Sturbridge, Mr. Timothy Parker.
Athol, Mr. Josiah Goddard.
Rutland, Mr. Asaph Sherman.
Sterling, Capt. Ephraim Carter.
Leominster, Mr. Richardson.
Ward, Mr. Joseph Bigelow.

We learn from Uxbridge, that a house was lately consumed there, and four persons unhappily perished in the flames. We have not been favoured with the particulars.

The following was sent us from the county of Berkshire, viz.

"*Lenox, Dec. 8th*, 1787.

"On Thursday, the sixth inst. were executed at Lenox, in the county of Berkshire, pursuant to the sentence of the Supreme Judicial Court, *John Bly* and *Charles Rose*, for the crime of Robbery. They were conducted from the prison to the Meeting-house under a guard of about two hundred and fifty men (previously ordered out to assist the Sheriff in the execution of his duty) where an excellent sermon, well adapted to the occasion, was delivered by the Rev. Mr. *West*, from these words, Romans xiii. 3 and 4.—"For rulers are not a terrour to good works, but to the evil. Wilt thou then, not be afraid of the power? Do that which is good, and thou shalt have praise of the same; for he is the minister of God to thee for good. But if thou do that which is evil, be afraid; for he beareth not the sword in vain: For he is the minister of God, a revenger to execute wrath upon him that doeth evil." After which they marched to the gallows, and a numerous concourse of spectators (such an assembly never before drawn together in the county) closed the procession.

"The criminals, ever since their first confinement, until near their very last, did not seem suitably affected, or, in any degree, sensible of their situation. In consequence of the many pardons granted to persons under sentence of death, since their confinement, they were (as they acknowledged, and which many persons vainly encouraged them in) induced to believe that the lenity of government would be extended to them also.

"The spectators, on this occasion, behaved with seeming sensibility; scarcely a threat was uttered, or a murmur heard, against government, for executing the law upon such dire offenders; but, with deep melancholy, gazed on the spectacle, as a loud and solemn lesson, to avoid the shameful death they suffered, and the rock on which they split.

"The Sheriff performed his duty, however disagreeable, with that propriety which does him honour.

"*Bly*, the day previous to the execution, gave a short narrative of his life, wherein he acknowledges that he has committed *seven robberies* in the county of Berkshire, since the late insurrections. *Rose* utterly refused to acknowledge any thing, alledging that such a narrative might be the means of conveying the news of his shameful death to his friends in Europe, which he would wish to avoid. Their fate is full of instruction, and must force conviction upon the minds of all those who have arisen up in open rebellion against the laws, that their crimes will not go long unpunished; and however much they defy the power of government, they shall soon meet with their due reward."

MARRIED,]—At Boston, Hon. John Sprague, Esq. of Lancaster, to Mrs. Mary Ivers, widow of Thomas Ivers, Esq; late Treasurer of this Commonwealth.

This Day published, price 2s. bound or 1s. 6d. stitched in marble paper.

(Neatly printed, with a Copperplate Frontispiece of the ancient Device found with the original Manuscript.)

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Oppoſite the PRISON in WORCESTER,

Upon as good Terms as they are ſold in BOSTON, or elſewhere,

PEWTER of all ſorts, Braſs Kettles and Skillets, Window Glaſs, Engliſh and German Steel; Nails, Tacks, and Brads; Wool and Cotton Card Wire, Tin Plates; Joiners', Carpenters' and Shoemakers' Tools; Locks, Latches, Bolts, and Hinges. All kinds of Saddlers' Ware, beautiful enamelled Clock and Watch Faces, all kinds of Clock and Watchmakers' Tools, Blackſmiths' Anvils and Vices, Holſter Piſtols, Iron Shovels and Spades, with a complete Aſſortment of

Brazery and Cutlery WARES.

Alſo, Broadcloths, Baizes, Coatings, Velvets, Corduroys, Fuſtians, Jeans, Shalloons, Calimancoes, Tammies, Calicoes, Linens, Cambleteens, Thread and Worſted Stockings, Modes, Sattins, Ribbons, Gauzes, Shawls; Linen, Cotton, and Silk Handkerchiefs, with many other articles, too many to be enumerated in an Adverti ſement.

Likewiſe, Weſtindia and Newengland Rum, Brandy; Sherry, Teneriffe and Malaga Wines; Loaf and Brown Sugar, Bohea and Green Tea, Coffee, Chocolate, Pepper, Ginger, Allſpice, French and Spaniſh Indigo, Gunpowder, Fine Salt, Bar Iron, Candles, Writing Paper, Cotton Wool, Tin Ware, &c. &c. &c.

Two DOLLARS reward.

STRAYED from the paſture of Col. RAND, in *Weſtminſter*, on the 29th of May laſt, a ſorrel

MARE COLT,

with a blaze in her face, one year old, a natural trotter. Whoever will give information where ſhe is, or return her to the ſubſcriber, in *Lancaſter*, ſhall receive TWO DOLLARS reward, and all neceſſary charges paid, by

Lancaſter, Dec. 6th, 1787. SAMUEL CARTER.

OHIO COMPANY.

ADVENTURERS in the OHIO COMPANY, who ſubſcribed with RUFUS PUTNAM, are requeſted to meet at Mr. JOHN STOWERS's, innholder in *Worceſter*, on Tueſday the 18th inſtant, at two o'clock in the afternoon, to chooſe an Agent or Agents, agreeably to the Articles of Aſſociation, as the ſaid PUTNAM is very ſoon to ſet out for the Ohio Country, and can ſerve his friends as Agent no longer.

Rutland, December 3d, 1787. RUFUS PUTNAM.

ALL perſons indebted to the Eſtate of ANDREW DUNCAN, late of *Worceſter*, Merchant deceaſed, are requeſted to make immediate payment; and all to whom ſaid Eſtate is indebted are deſired to bring in their accounts, in order for ſettlement, to

Worceſter, Nov. 26, 1787. SARAH DUNCAN, Adminiſtratrix.

SADDLES.

A NUMBER of handſome well made SADDLES, to be ſold cheap for Caſh, Indian Corn, Rye, Wheat, or Butter. Enquire at the Printing Office,